Equal Rights

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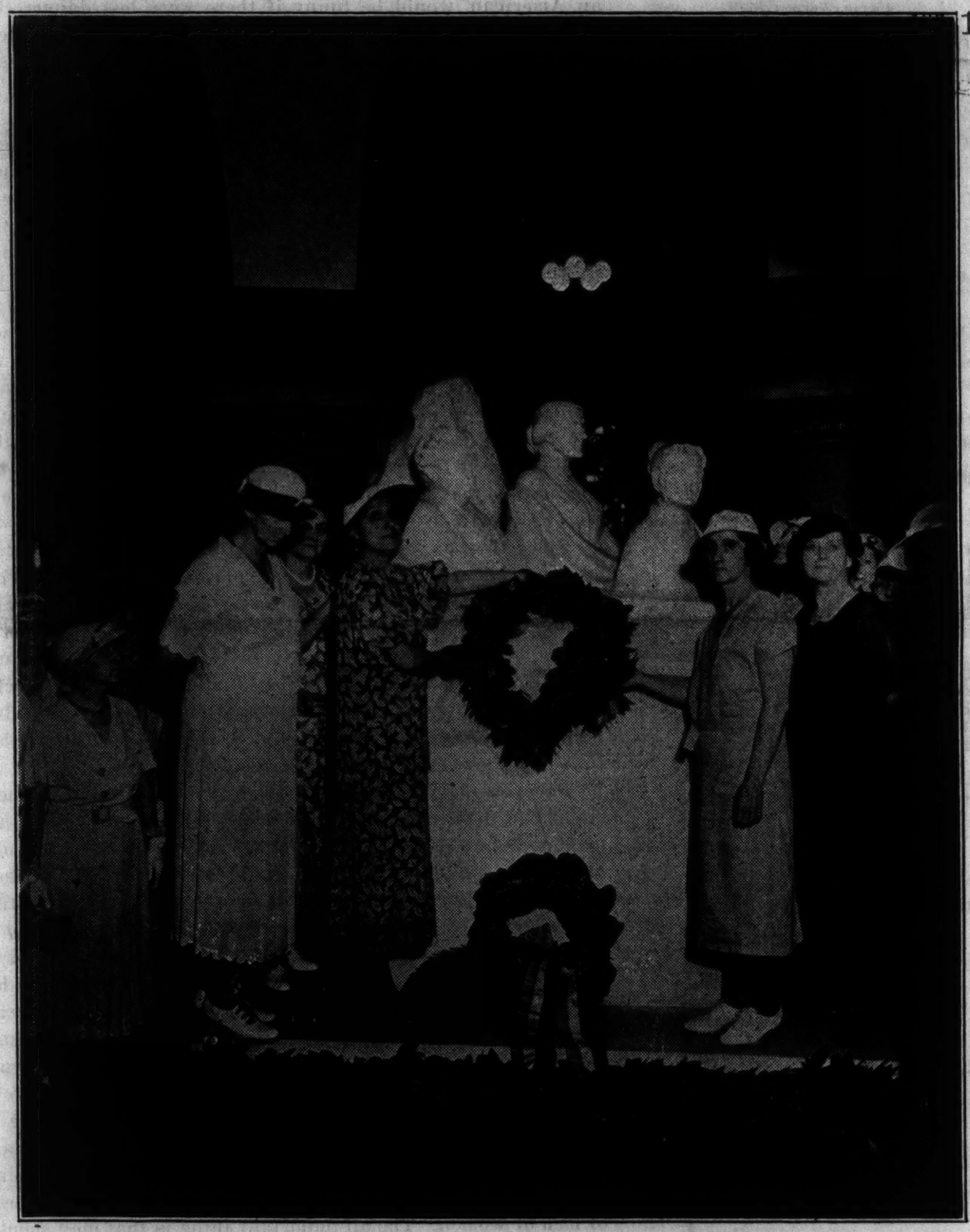

Honoring the Pioneers of the Woman Movement

Among those who come to Washington to seek inspiration and guidance at the National Headquarters of the Woman's Party are many who feel impelled because of gratitude and veneration to visit the beautiful shrine of Feminism in the crypt of the Capitol. There in gleaming marble, lovingly and sensitively portrayed by the sculptor, Adelaide Johnson, are "The Pioneers": Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony. In the picture above are Florence Bayard Hilles, National Chairman of the Party; Sara B. Cummings, chairman of the Philadelphia Branch; Carmela Ponselle, prima donna of the Metropolitan Opera Company; and officers of the Industrial Workers' Council of New York.

Equal Rights

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Annual Dues	$10.00
Associate Members	$1.00
Subscribing Members	$3.00
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Life Members	$1,000.00
Endowers	$5,000.00
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OBJECT OF THE WOMAN'S PARTY

The object of this organization shall be to secure for women complete equality with men under the law and in all human relationships.

THE LUCRETIA MOTT AMENDMENT
"Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."

"Congress shall have power to enforce this article by appropriate legislation."

[Senate Joint Resolution Number 1]
[House Joint Resolution Number 1]

Introduced in the Senate March 10, 1933, by SENATOR JOHN G. TOWNSEND, Delaware.

Introduced in the House March 9, 1933, by REPRESENTATIVE LOUIS LUDLOW, Indiana.

Humans or Robots?

WOMEN by this time should have become accustomed to affronts and insults. Chancellor Hitler of Germany is reported to have recently said that the "employment field is to be relieved of women who, at the same time in accordance with the national Socialist program, are to be led back into their domain, namely, the family and the household."

In Chicago, Dr. John Guy Fowlkes of the University of Wisconsin recently advocated increasing the supply of superior male teachers and asserted, "One has got to pay them more than the same quality women teachers."

Here we have two examples of the male infatuated like Narcissus with his own image as reflected back in the pool of an overweening and presumptuous egotism. The statements of these two men, one a German and the other an American, would be funny if there were less danger that they might be taken seriously. One has only to consider the high percentage of morons reputed to exist in our population in connection with the alarming numbers of the unemployed, to realize what far-reaching effects such declarations could have.

Fortunately for us American women, Dr. Fowlkes wields no dictatorial power. But as for the Germans, the grotesqueness of their plight is fully revealed only when one recalls that Germany at one time had more women in its national legislative body than any other country. Germans then conceded that German women were capable of governing themselves, and others. Now, according to recent edict, they are not fit to govern themselves.

For almost a century and a half American women endured being classed by their government with children and idiots, that is with the mentally undeveloped and deficient. The Nineteenth Amendment mitigated the disgrace, but did not obliterate it, there being still glaring discriminations against women in the laws of every State, notably in the twenty-six which deny women the right to serve on juries. Fantastically, therefore, although she is a voter, the American woman is not regarded as a full-fledged citizen, a situation that is deplorable enough, but still much to be preferred to that of her German sister.

Since the war, women in Germany as in other countries have forged ahead as never before, winning enviable places in the arts, science, business, professions and public affairs. On every hand they have given evidence of possessing initiative, enterprise, stability of character, intellectual force, creative ability, and more and more of them, because of high attainments along many lines, have been taking their places beside men as intellectual and spiritual equals. Now German women are asked to forego every advantage they have gained, to retrace every forward step, and to be willing to be meekly led back into "their own domain—the household."

Suppose they do go back. Even if we assume that the women of today could like their grandmothers justify their existence by an unwearying round of household routine, the electrical robot would rob them of the opportunity. Much time would be left which would have to be spent either in complete idleness or in the pursuit of constructive intellectual, cultural and creative activities which could not be confined to the home. But the fundamental right of the individual to choose the work he is best fitted to do and is happiest in doing, the German Government denies its women because—and here lies the crux of the whole matter—if there are women who can do these things better than some men, which must be the case or what sense would there be in the whole masculine scheme to suppress them, these men may be deprived of the opportunity to do them.

So it becomes necessary to lock up the women, take away their jobs, remove every possibility of a woman's rising higher than a male competitor. If women could only be made to see that the important thing in this enlightened day is not to have the affairs of a nation run by the best minds, whether of men or women. The all-important thing is that men should be in control.

The author of the robot play, "R. U. R.," hints at the possibility of robots becoming human. Possibly the German Government thinks it is smart enough to reverse the process, thereby changing all the nation's cultured, capable, ambitious women into household robots. There are no limits to credulity, especially when backed by chauvinistic phobia. But the love of liberty grows more intense with experience of it. Resistance will come from without as well as from within the German nation. The National Woman's Party was among the first to protest, and there will be many others. Women in all countries, on all continents, have traveled too far along the road to freedom to be willing to take one backward step. Whatever fictions courts, governments or dictators may adopt in regard to them, the incontrovertible fact remains that women *are* human.

Inequalities Under National Recovery Administration

By Ruby A. Black

Washington Newspaper Correspondent and Former Managing Editor of Equal Rights

IN six industries women are being paid lower minimum wages than men, with the temporary approval of the National Recovery Administration.

Even in the job of doing the family washing, the N. R. A. approved a far lower wage scale for women than for men, but withdrew its approval after one day because of protests against wages as low as $6.30 a week in the laundry industry.

In the industries now operating on unequal pay rates—bedding, silk and rayon dyeing, photographic manufacturing, printing, paint, varnish and lacquer manufacturing, mayonnaise mixing and wheat flour milling—the Administration has approved the temporary substitution of the labor sections of the proposed code for the labor provisions of the President's re-employment agreement, or "blanket code."

Hearings will be held on the specific codes soon, and the codes finally approved may eliminate the differences between the pay of women and of men for the same work.

In three other codes already made public, in addition to the laundry code, women are to be paid lower wages than men if the administration should change its previous policy and permanently sanction sex discriminations. No action has been taken on these yet.

The laundry industry's proposals, at first approved by Administrator Hugh S. Johnson, aroused a storm of protest both because of the extremely low pay and the great difference between the rates to be paid women and those to be paid men. The women were to be paid $11.25 and the men $18.00 in the East; women, $6.30 and men $9.00 in the South. When the administration first approved this code, it was explained that it doubled the present wages in the South and increased the others 30 per cent, and it was privately added that if higher wages were paid, the Negro washer women would drive the steam laundry out of business in the South.

"And yet the washing of clothes has always been considered one of the jobs women excelled at—at least, when there was no pay for it," one weary housewife commented upon reading the account of the wages approved.

In the bedding industry, boys from 16 to 21 years old and women get 33 cents an hour, men 35 cents in the South, and boys and women get 35 cents and men 40 cents in the North.

Not very many years ago women made feather beds and straw and cotton mattresses and all the quilts and comforters in their own homes. Women who dye and print rayon and silk for other women to wear get 35 cents an hour. Men get 45 cents.

In the paint, varnish and lacquer industry, women and boys, 16 to 18 years old, get 35 cents an hour and men 40 cents.

The following letter has been sent to the National Recovery Administration by the National Woman's Party, urging equality between men and women as to hours, wages or other conditions of labor in the Codes adopted.

August 5, 1933.

General Hugh Johnson,
National Recovery Administrator,
Washington, D. C:

Dear General Johnson:

On behalf of the National Woman's Party we are writing to urge that all codes adopted by the National Recovery Administration shall make no discrimination between men and women as to hours, wages and other conditions of labor. We are glad to note that this principle is incorporated in the Steel Code, which in Section I, Schedule C, states:

"There shall not be any discriminations against any employees because of race, sex, or creed. . . . ."

We urge that a similar provision with regard to sex be incorporated in every code adopted by the National Recovery Administration.

We ask that the National Recovery Administration do not approve codes recommended by various industrial groups in New York, Chicago, and elsewhere which call for a lower wage for women than for men. Women throughout the country are greatly concerned over these wage differentials.

The National Woman's Party views with alarm the putting into effect by Executive order of the Rayon and Silk Dyeing Industries Code with a wage of 35 cents an hour for women and 45 cents an hour for men. We ask to be heard at this and all other hearings on codes which discriminate against women.

We trust that you will use your great power to the end that there be no differentiation between men and women as to hours, wages, or other conditions of labor, in any of the Codes adopted.

Sincerely,
(Signed) Maud Younger,
Congressional Chairman.

In the wheat flour milling women doing so-called "light work" get 30 cents an hour while men get 37½ to 45 cents an hour.

In the mayonnaise industry, men get 40 cents an hour in the South and 45 cents in the North, while women all over the country get 30 cents.

Yet mayonnaise making (when the labor of making it is not paid for) is normally considered a very womanly occupation.

In the photographic manufacturing industry, men get 40 cents an hour or $16.00 a week, while women get 35 cents an hour or $14.00 a week.

The three industries which propose, in codes already made public, to pay women lower minimum wages than men are: Automobile, corsets and brassieres, and salt manufacturing. The newsprint code, which has been published but not made public by the N. R. A., also proposes a lower minimum for women.

The automobile industry also classes women with boys, like the bedding industry. It proposes to pay adult males 40 to 45 cents an hour, depending upon the size of the city, and women of all ages and boys from 16 to 21 years old, 5 cents less in each group.

The corset and brassiere manufacturers want to pay men 35 cents an hour or $14.00 a week to make these intimate garments for women, while they pay women 32½ cents an hour or $13 a week.

The salt industry proposes 30 cents an hour for women and 35 cents for men in the North and 20 cents for women and 25 cents for men in the South, which means Texas and Louisiana in this industry.

None of the codes propose that women be charged lower prices for laundry, for beds, for corsets, for rayon, for salt or for automobiles.

The shipbuilding industry, both the employers and the employees, said their industry paid higher wages than certain other industries, because few women work in it, while in the textile industry, for example, "the employees are largely women." John P. Frey and J. A. Franklin, both representing the metal trades department of the American Federation of Labor, made quite a point of this fact.

Women are studying the hosiery and dress codes because they set up an elaborate scale of minimum rates for different operations. They fear that the operations customarily performed by women are allowed the lowest wage rates.

The N. R. A. reported, to the consternation of women who believe that women should have the opportunity to try to get any job they want or need to support themselves and their families, at any hour of the day or night, that the underwear code proposed to abolish all night work for women, and was the first such proposals of the kind presented.

Upon examination of the code, however, they found the industry proposes to operate its sewing machines only one shift of 40 hours each. It happens that women work on the sewing machines and men, chiefly, work on the knitting machines.

But the code maintains no discrimination of any kind on the sex basis, and does not prohibit employment of women on night shifts on knitting machines if they can get the jobs.

The National Woman's Party is making a fight on all these proposed lower wage scales for women.

While the law was being drafted, Donald R. Richberg, now general counsel of the N. R. A., succeeded in preventing insertion of a provision permitting lower minimum wages for women in codes established by the President. He did it by arguing that if women were allowed to undercut men, they will get the jobs and that would be unfair competition. He also believes personally in equal pay for equal work, with the best man or woman getting the job.

For this reason it is predicted that when the codes are finally approved by the President, they will not contain sex differentials.

The steel code contained a provision against any discrimination based on sex, race or creed. The National Woman's Party has suggested to General Hugh S. Johnson, Administrator, that all the codes contain such a provision.

Women's Economic Rights at Stake

(Reprinted from the Chester Times, Chester, Pa.)

WASHINGTON, D. C.—The women of America are at bay before the adverse forces of depression and are organizing to hold the economic position which they have been fighting to establish for many years. The wave of unemployment which accompanied the business depression emphasized the conflict between men and women and focused it on the subject of jobs. American women are awake to the fact that an effort is being made to evict them from their hard-won position in the economic world and return them to their traditional theatre of activity, the home. They are determined to resist this effort.

Although Congress is in recess, Washington still is headquarters for the New Deal and this summer will see renewed activities at the National Capital on behalf of women's rights. Having won the right to vote after generations of conflict and prolonged militancy, and having entered nearly every trade and profession in the land, gained public office, and attained business success, women now find their possession assailed by the masculine race on the ground that they have a prior right to work.

To dispute this with all the fervor which they showed in the earlier stages of their struggle for emancipation, American women are planning a campaign to shake the nation. The first move in the new campaign was made at a gathering under the auspices of the National Woman's Party beginning July 8. A memorial service was held in honor of the late Mrs. O. H. P. Belmont, former president of the party and an outstanding Feminist leader for many years. The women presented their position to the President at the White House.

No President has shown a more liberal attitude in recognition of women. The first Chief Executive to invite a woman into his Cabinet, President Rosevelt also has named women to other high federal positions. He has established the precedent of appointing a woman as minister in the diplomatic service, naming Mrs. Ruth Bryan Owen to Copenhagen. For the first time he has appointed a woman as Director of the Mint — Mrs. Nellie Tayloe Ross. There are numerous other examples of his reposal of trusts in women.

Miss Alice Paul has returned to the Washington arena to lead the fight. Miss Paul was the founder of the National Woman's Party. It was this 100-pound young woman, whose health, at times, was so impaired that her associates almost momentarily feared her collapse, who led some of the most spectacular of the militant suffrage demonstrations. She was involved in the suffrage parade at Washington which mounted police rode down like cossacks. She suffered imprisonment and many indignities at the hands of the authorities. The battle for suffrage won, Miss Paul had been in semi-retirement for some time but now has emerged, as at the call of a trumpet, to resume, if necessary, her militant tactics in order to hold the rights which women have won.

As leader emeritus of the party, she is genuinely alarmed and has communicated that alarm to women everywhere. She points out, for example, that the anti-feminist movement has gone so far that two States, Colorado and California, have actually proposed legislation prohibiting women from holding public office in those States.

At Washington there has been in progress for some months a spirited contest over the right of married women to retain government jobs. Right now a suit is pending in the Supreme Court of the District of Columbia in the Stansbury case to determine legally whether the Government has the right to dismiss an employe, whose services are satisfactory, merely because she is a woman and married. Women are being dismissed from federal service wholesale if their husbands have jobs. In the Stansbury case, the woman's husband is an enlisted man in the United States Navy and is not free to leave his job. . .

The big industries are taking their cue from the Government and showing a tendency to exclude women workers. The railroads, especially, are said to be exhibiting a policy to displace women workers with men.

While the depression has been deepening, women have expected to be as hard hit as men workers, according to the leaders of the movement. They have accepted lay-offs and outright dismissals with as good grace as any. Participating in the opportunities of what was approaching an equal economic status, they were content to share in the hardships accompanying alternate good time and bad. But since the first of the year, more than 1,000,000 workers have gone back to jobs. Factories are opening anew in many States and there are indications that the employment trend is definitely upward. At this point the women are aware of a concerted effort to prevent them from joining in the march back to work. Thrust out of work by depression, the effort now is to keep them out of work by arrangement.

Their fight this summer is to determine whether an upturn in the nation's economic condition is to be for men alone or whether women are to have their share. The fighting temper of the organized women has been particularly aroused by the enactment of minimum wage laws for women by the States. Six States—New York, New Jersey, New Hampshire, Ohio, Connecticut, and Utah — have enacted minimum wage laws for women during the last year and Illinois has such legislation pending. This blanket of legislation spreading over the country is declared to be a part of the plot to lower the economic status of women.

It is generally recognized that a minimum wage fixed by law becomes, save in times of labor shortage, a maximum wage criterion and that it is only with the utmost difficulty that the scale can be raised above a starvation point. The fact that such laws are being enacted to apply to women and not to men is taken by the women as indicating a definite hostile move against their interests.

The new move to press back the rise of women is not local but world-wide. In England women have been definitely excluded from government positions. In Germany the discrimination has been so marked that women's organizations of other countries have lodged protests

which have been wholly unavailing. In Italy women's rights have been reduced to a minimum.

There is a tendency to discourage attendance of women at colleges and institutions of higher learning. This means, it is claimed, an effort to stop invasion of the professions by women.

This summer will see a direct clash of interests. Washington, as the headquarters of the national industrial recovery campaign, will have an important voice in creation of work and distribution of employment. The trade associations are to be unofficial agencies of the recovery. They are representative of the great industries which, women claim, are seeking to dislodge them or, at least, enslave them at meagre wages. With President Roosevelt, special sponsor of the very legislation which is fostering recovery, a declared champion of women and the women on the spot to carry on their fight, some lively chapters are in prospect.

At Women's Expense

THAT the minimum wage legislation for women and minors only, which was passed by seven States in 1933, is not in harmony with but in direct contravention of the Recovery Act codes, is urged by Vee Terrys Perlman of New York in a letter which appeared July 15, last, in the New York *Herald Tribune.* Miss Perlman, who is a Feminist, a writer and a member of the National Woman's Party, writes:

To the New York Herald Tribune:

In an astounding statement made yesterday, Secretary Perkins said that the minimum wage legislation for women and minors only, passed in seven States during 1933, "is directly in line with the National Industrial Recovery Act." The facts show the exact contrary. For the minimum wage codes of the Recovery Act are for employees of both sexes, and the spirit of the Act, as emphasized over and over again by everybody connected with it, from the President down, is to make conditions of competition the same for business in any given field so as to eliminate unfair competition, while the State minimum wage legislation in regulating women places them at an unfair disadvantage with their not-regulated male competitors. The State minimum wage laws are therefore conceived in exactly the opposite spirit to that of the Recovery Act.

Furthermore, until this last winter there had been no such minimum wage legislation passed for women and minors since 1923, when the Supreme Court of the United States declared such legislation unconstitutional for women, since it interfered with women's freedom of contract in a way that it did not interfere with men's. But because of the plight of Massachusetts, which finds herself handicapped by having this legislation when other industrial States do not—in just the same way that women are handicapped when their competitors are not so regulated—and in spite of its unconstitutionality, various interested organizations and individuals have brought about the pas sage of these one-sided measures against the protests of the women affected themselves.

ATTEND THE BIENNIAL!

Readers of EQUAL RIGHTS are reminded again that the Biennial Convention of the Woman's Party takes place Saturday and Sunday, November 4 and 5, at the DuPont Hotel in Wilmington, Delaware. The week-end was chosen to take advantage of reduced railroad fares. Every member of the Party is urged to attend.

The Recovery Act, however, avoids unconstitutionality in this section by providing minimum wages for both sexes. This fundamental and complete difference between the minimum wage as legislated by the States and by the Recovery Act furnishes the only grounds of that determined opposition which exists to this type of legislation. Secretary Perkins wishes to see the latter spread. It is sponsored by its advocates on the plea that men do not need the protection of such regulation. Is this the spirit of the National Industrial Recovery Act?

Miss Perkins, as Industrial Commissioner of New York State, was the first to point out errors in the unemployment figures given out by the Federal Department of Labor in the preceding Administration. Why then does she inaugurate her administration by befuddling the public with such an absolutely untrue statement? VEE TERRYS PERLMAN.

New York, July 13, 1933.

Equal Rights Discussion at Round Table Conference

THE Conference on Socio-Economic Problems and Their Educational Implications, sponsored by the George Washington University, under the direction of Dr. William Cullen French of the School of Education, met for breakfast at the Powhatan Hotel in Washington, D. C., on August 2, to discuss the social and economic problems that particularly interest women. Representatives of the General Federation of Women's Clubs, the National Woman's Party, the National Economic Association, the League of Women Voters, and the Parent-Teacher Association were present. Dr. Josephine L. Pierce, of Ohio, Second Vice-President of the General Federation of Women's Clubs, presented the program of the Federation, and Florence Bayard Hilles, of Delaware, explained the aims of the National Woman's Party.

In introducing Mrs. Hilles, Dr. French said:

"The National Woman's Party represents a different type of woman's organization. It is a crusading organization, with a limited program, for which it fights vigorously. Organizations of this type have been making a significant contribution to our history during the past century."

Mrs. Hilles opened her talk with the statement that it was at the Equal Rights convention of 1848 that the need was first realized for Equal Rights for women in all fields. Soon after, women concentrated on suffrage. The fight lasted 75 years and culminated in the Nineteenth Amendment, the winning of which satisfied most of the women's organizations, who then turned their attention to other things. The National Woman's Party, however, was determined to remove all discriminations against women from the laws of the country and formulated the Lucretia Mott Amendment, which states: "Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction. Congress shall have power to enforce this article by appropriate legislation."

Mrs. Hilles went on to say, in outline:

"We ask no more for women than for men. You would be amazed at the enormous value put upon a woman's services when her husband sues for their loss through an accident. As an old welfare worker and former legislative chairman of the Consumers' League, I introduced a bill for a 44-hour week for women, although not a soul in Delaware had asked for it. The bill was no sooner introduced than a group of women in the Pennsylvania Railroad protested against it, saying that if it passed their jobs would be given to men. Fortunately, the bill was defeated, but it opened my eyes to the inequality of protective legislation for women only and its rank injustice to both men and women.

"This protective legislation for women

is based on the idea that they are weaklings, and denies them the rights of adults. If you tie up your arm and don't use it, it becomes atrophied. Likewise, if you tie up the potential strength and abilities of the group of workers made up of women, the capacities with which they are endowed will stop functioning. When I realized this, I resigned from the Consumers' League, though this organization has done splendid work in protecting children and attempting to prevent child labor.

"A Delaware woman who wanted to put her daughter through college asked me to be a guarantor for a small sum she needed. The trust company refused to take a woman guarantor, although there was no existing law excluding women.

"This is the turning point for women in this country. Today the civil rights of women can be restricted or enlarged by the State. The story of the woman's position in the Common Law is the story of master and slave. Today there is no justification for regarding women as weaklings. It is the time for the complete social and economic emancipation of women."

Mrs. Hilles' address was followed by a round table discussion, during which Dr. French called on Mrs. Harvey W. Wiley, who said:

"I have the unique distinction of being a loyal member of both the General Federation, and the National Woman's Party. I am president of the District Federation of Women's Clubs and vice-chairman of the National Woman's Party.

"It is true that the General Federation voted against the Equal Rights Amendment in 1924, but it is my earnest hope that some day it will officially change that decision. Meantime I can work happily with the rest of their program.

"The Woman's Party program is a positive one. Men and women *shall* have Equal Rights, not women shall not be allowed to do thus and so. We are on the verge of a new era. A new deal is being made. It should be for all adult human beings. Extraordinary experiments are being tried out in Government. Why should anyone be afraid to give women an equal chance with men?"

These conferences, sponsored by George Washington University through the week of July 31, have been of particular importance to educational leaders and industrialists. They have covered problems touching every field of American economics, including public utilities, labor, the railroads, etc.

Other members of the Woman's Party who attended the breakfast were Anita Pollitzer of South Carolina, Anne Carter of Texas, Rebekah Greathouse of the District of Columbia, and Elsie DuPont of Delaware.

News from the Field

From Honolulu, Hawaii

ENCLOSING a check for the renewal of her subscription to EQUAL RIGHTS, Estelle Baker sends this message across the Pacific from Honolulu:

"Bernice A. Dryer's 'stout protest' in EQUAL RIGHTS of June 24 against changing the name of the National Woman's Party has taken the words out of my own heart. Her words, 'I like the National Woman's Party just as it is' do warm the cockles of my heart.

"The National Woman's Party plan for establishing branch organizations in every hamlet of the United States is exactly the way to educate all women in the meaning of 'feminism'.

"The National Woman's Party! It is a glorious name and known all over the world. Can't you hear the humblest woman who knows explaining to the humblest woman who does not know: 'It means it's going to get us women a good chance'."

Oppose Legislation Based on Sex

FROM the Bulletin of the Business Women's Legislative Council of California, of which Sue Brobst is president, we learn that the following resolutions were adopted at meeting of the members of the Council, June 24, 1933:

"Resolved, That the Business Women's Legislative Council of California holds that women in the professions, in business and in industry shall be free to work and be protected as workers on the same terms as men; and that it is opposed to any legislation based on sex, on the ground that all legislation and regulations shall pertain to the nature of the work and not the sex of the worker.

"WHEREAS, laws regulating the hours and limiting the wages of women, but not of men, are threatening women's economic opportunity, and

"WHEREAS, the employment of women everywhere is being challenged; therefore be it

"Resolved, That the Business Women's Legislative Council of California favors the immediate passage of the 'Lucretia Mott Equal Rights Amendment' to the Federal Constitution, which reads: 'Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction,' and be it further

"Resolved, That a copy of this resolution be sent to the Senators and Representatives in Congress from this State."

Test Made of Validity of Federal Economy Act

ON JUNE 27, 1933, there was filed in the Supreme Court of the District of Columbia a suit contesting the validity of that provision of the Federal Economy Act, reading as follows:

> "In any reduction of personnel in any branch of service of the United States Government or the District of Columbia, married persons (living with husband or wife) employed in the class to be reduced shall be dismissed before any other persons employed in such class are dismissed, if such husband or wife is also in the services of the United States or the District of Columbia."

The case was brought by Pearle G. Stansbury, who for 15 years had been in the bindery department of the office of the Public Printer. She had entered the service during the war, had attained a civil service status, and possessed the highest efficiency rating in her group. She began in the Government service at a salary of about $67 per month, and at the time of the suit was earning about $110 per month. Her husband is an enlisted man in the United States Navy, his period of enlistment having several years yet to run. Mrs. Stansbury under the Federal laws concerning retirement would have been entitled upon another year's service to a deferred annuity, this annuity being based upon 15 years of service plus an attained age of 45 years.

In her suit Mrs. Stansbury sought to restrain the Public Printer from discharging her, alleging that the married persons' clause is inconsistent with the merit and efficiency provisions of the civil service system under which she was employed; that the clause is in restraint of marriage and against public policy; and that the clause denies to her— a married woman—that equality of opportunity to secure and to retain public employment which is a part of the "liberty" guaranteed to her under the Fifth Amendment to the Federal Constitution.

Judge James M. Proctor cited the Public Printer, George Carter, to show cause why he should not be enjoined from discharging Mrs. Stansbury. The Government attorney then filed a motion to dismiss Mrs. Stansbury's petition. His contention was that by the express provisions

of the Economy Act the right to sue the United States or an officer thereof is denied unless the suit involves the United States Constitution; that although Mrs. Stansbury's petition alleged the violation of a constitutional right, her case did not in fact involve any constitutional right; that a public office is not property; and that the right to dismiss a public employe is an incident of the power to employ. The case came on for a hearing before Judge Proctor on Friday, June 30.

In connection with Mrs. Stansbury's contention that the married persons' clause is a denial of the "liberty" guaranteed to her under the Fifth Amendment, the definition of "liberty" given by the United States Supreme Court in the case of Myer vs. Nelson, 262 U. S. 390, was cited. There the United States Supreme Court said that liberty denotes not merely freedom from bodily restraint, but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, establish a home, and bring up children, to worship God according to the dictates of his own conscience, and generally to enjoy those privileges long recognized in common law as essential to the orderly pursuit of happiness by a free person.

Judge Proctor sustained the Government's motion to dismiss the bill. In his view the case involved no constitutional question. Moreover, he declared that Congress had enacted the civil service law and had the right to repeal or modify that law. He indicated that his decision was made "regardless of his personal sympathy"; that his conclusion had nothing to do with the policy back of the law; and that arguments against the law might more properly be addressed to Congress.

An appeal was noted, but as Mrs. Stansbury's dismissal soon becomes effective, the issue in her case will become a moot question, and the courts will not pass upon moot questions. An effort is being made to have her retain a status which will enable the appeal to be carried forward, such as that of a furloughed employe.

Mrs. Stansbury was represented in her suit by Attorneys Burnita Shelton Matthews and Arthur G. Lambert.

The question of raising the validity of the married persons clause by a person already discharged is under consideration. But apparently the only remedy, if there is any, in such a case involves a writ of mandamus to compel re-instatement. It is within the discretion of the court to issue such a writ, and it has been repeatedly held that mandamus will only lie to enforce a plain ministerial duty where the public official against whom the writ is directed is not required to use judgment or discretion. The duty of the public official to re-instate the discharged married employe can only be made to appear by the conclusion or judgment on the part of such official that the married persons clause is invalid, which circumstance may prevent the case from coming within the well settled rule that the duty involved must be a "plain ministerial duty."

Feminist Notes

Where Were Their Male Supporters?

DURING a certain night in March, 1933, 12,681 homeless girls knocked at the doors of refuges for shelter, according to the National Transient Committee. This census of homeless girls was taken in 800 cities and towns in the United States, and was done simultaneously to avoid overlapping; 9,769 girls were on the road without jobs and 1,480 were under the age of 21.

Our First Woman Diplomat

RUTH BRYAN OWEN'S recent appointment as Minister to Denmark brings to mind the fact that the first American woman to enter the foreign service was Louise Atcherson of Columbus, Ohio, who was appointed December 4, 1922, and served until 1927 when she resigned. Miss Atcherson served first as secretary of legation at Berne, Switzerland, and then at Panama. She was graduated from Smith College.

In Memoriam

MEMBERS of the National Woman's Party are sorry to learn of the death of Fidelia Jewett of San Francisco, California. Miss Jewett was one of the Founders of the National Woman's Party. This word has come to us through Dr. Lillian J. Martin, also a Founder of the National Woman's Party. Both Miss Jewett and Dr. Martin joined the Woman's Party in March, 1922.

Women Dentists to Meet in Chicago

THE Association of American Women Dentists opened its twelfth annual convention in Chicago on August 7. Delegates are attending from all over the country. Chicago members of the Association have arranged a program which will include visits to the Century of Progress in addition to the events of the convention proper.

Press Comment

"Listen, World"

Elsie Robinson in The New York Evening Journal, August 4, 1933.

SHOULD we have different laws for men and women workers?

Should we have the same laws for women workers as for men workers?

Should women be allowed to work as long and as hard as men?

Should they be permitted to take any work they desire?

Or do women's bodies unfit them to work like men, at the same jobs?

Does it harm the individual woman to do "a man's work?"

Does it interfere with her fundamental job of being a good wife, mother and home-maker?

Will that interference, in time, become a grave danger to the nation?

Should we, therefore, have laws preventing women from working as long and as hard as men—or at certain jobs?

Very Unfair

Mrs. Eleanor Roosevelt thinks we should, and she and the National Woman's Party are having a hot set-to on the subject.

The National Woman's Party believes in absolute 100 per cent. equality between men and women.

"These discriminatory labor laws," it protests, "aren't framed to help women. All this agitation over female health and the future-of-the-race is just a pretty pretense. The underlying motive of discriminatory laws is to restrain women and free men from their competition. This is fundamentally unfair.

"A woman has as much right to work as a man, and as much right to choose her job.

"The proposed laws are only an opening wedge. If they are passed, it will soon be possible to bar women from labor entirely. Under present conditions this would cause frightful suffering and general disaster—as statistics have proven that the vast majority of women workers are the sole or main support of many dependents.

"It is true that long hours and bad working conditions are injurious to women, but they are equally injurious to men. If labor laws need revision, let that revision apply to all workers—not merely against women."

That's the National Woman's Party story, and they intend to stick to it. But Mrs. Roosevelt won't agree.

"Women," says she, "are basically responsible for the future of the race. Physical differences between men and women cannot be ignored.

Two Slants on Question

"Women workers, less well-organized than men, have been thoroughly exploited. Such women are often forced to work for a pitiful wage to keep their families together."

So there you have two slants on the question. What's yours?

Do you think that "a woman has as much right to work and choose her job as a man?"

Do you think it is any harder for a woman to work twelve hours in a shirt factory or cannery than to spend the same time doing her own general housework—concerning which you never hear a yip from these so-chivalrous men?

In short, if you were making the labor laws, how would you frame this particular one? Presently you'll have to vote on this question. Let's have your straw vote now?

Just a "Blind"

Anna Sommer in San Francisco News, July 11, 1933.

DISCRIMINATION against women in business, in the name of unemployment, is just a "blind" to drive all women back from their hard-won frontiers of freedom. Such discrimination will result in a chaos of the social scheme. Fewer women will marry. The married ones will divorce. Illicit relations will increase and unemployment will not decrease at all; because taking a job away from one person and giving it to another does not diminish the total number of those who seek and desire jobs.

On these premises the California Branch of the National Woman's Party, which held its annual meeting this week at the home of Mrs. William Kent in Kentfield, is renewing its fight to secure a Federal amendment insuring Equal Rights to women in all States of the Union.

"A lot of men with a sanctimonious manner have been patting us on the back and telling us that we ought to go back to our mops and dishes, to yield our jobs to unemployed family fathers," Mrs. Alice Park of Palo Alto, State vice-chairman of the Party, asserted today.

"But do these unctuous preachers tell wealthy young men needlessly holding down jobs to give up their posts to help their poor brothers? They do not!

"Male reformers are feeding us the old hokum that our place is in the home—that we'll be happier there. We, of the National Woman's Party, believe that women have the right and ability to decide that for themselves now. Years ago when women were not permitted in high schools and colleges, men may have been justified in making decisions for us.

"Today we know how to stand on our own feet. If we want to return to housekeeping, that's up to us, not to the men.

"Some women may be happier working at home. A great many will not.

"Men try to tell us that we are too frail to carry on both marriage and a career. As a matter of fact, it is easier for a woman to bear ten children and hold down an eight-hour job with hired help, than it is to stay at home washing windows and cooking three meals."

Mrs. Park and her group claim the right of women to live independently, and not "as sex creatures." Of the 30,000,000 employable women in the United States, they point out, 20,000,000 are still "appendages," willing or unwilling. If a man who lives off a woman's earnings is not to be admired then neither is a woman who does the same, they argue.

"Making a home and rearing a child is work which the woman does free for the State," Mrs. Park continued. "Nobody pays her for it, yet she has been taught to regard this labor as her supreme effort in life.

"It's partly our own fault that there has been only a 7 per cent. increase of women in business in forty years. We have been told, and we believe, that we are interlopers and should be content with smaller salaries and less responsible jobs than men.

"We have even persuaded ourselves that physically, nervously, psychologically and emotionally, we are not fit to work as long and as hard as men. You'll note that it's a male physician or scientist who tells us this every time. Women doctors and men doctors, too, if they are honest, will tell you that the female has greater endurance powers.

"Women enjoy a reputation for vacillation, irresponsibility and illogical conclusions. If girls were brought up to deport themselves the same as boys, you would find that the percentage of unbalanced men and women would be just about equal."

Some persons think that women obtained all the rights in the world when they secured the right to vote, concludes Mrs. Park, who was secretary of the State Suffrage Association for many years prior to 1911 and a delegate to the International Women's Suffrage Congress in 1913. Actually women have next to none, she says.

"As soon as a woman marries, she relinquishes her property rights, her name, her control over what children may result, and her right of choosing her residence. If she refuses to live where her husband elects, it becomes legal desertion."

Basing her plea on these same grounds, Miss Alice Paul, president of the National Woman's Party, visited the White House this month in an effort to secure legislation that will insure economic equality to women.

Miss Paul told President Roosevelt's secretary that women were in danger of losing their political and commercial gains unless a law were enacted to make business discrimination against women unconstitutional.

"People will not send their daughters to school and college if they have no jobs to look forward to," she declared.

Women Classed With Machines

The New York Times, August 6, 1933.

BERLIN, August 5. (A.P.)—Alfred von Hodenberg, in charge of economic questions for the Nazi Labor Front, stated today that rationalization methods having in view substitution of machines for men would be prohibited henceforth.

"Never again must the worker be replaced by a machine nor a highly skilled manual laborer by an unskilled or woman laborer," Herr von Hodenberg said.

"Of course, it is impossible to get along without the machine altogether," he added.

Named Assistant U. S. Treasurer

The Baltimore Sun, July 27, 1933.

WASHINGTON, July 26 — A sister of a former Secretary of the Treasury — Mrs. Marion Glass Banister — today was named Assistant Treasurer of the United States.

The announcement made at the White House this afternoon marked the entry of the second woman into an executive Treasury post, Mrs. Nellie Tayloe Ross, former Governor of Wyoming, having become Director of the United States Mint in April.

Mrs. Bannister, a sister of Senator Carter Glass of Virginia, Secretary of the Treasury during the Wilson Administration, and of Dr. Meta Glass, president of Sweet Briar College, has been prominent in Democratic politics for many years and has spent most of her time since 1918 in this city. Her husband, Blair Banister, is a New York insurance man.

A nation-wide campaign to attract the women to the Democratic party was begun in 1921 by Mrs. Banister, under the direction of Mrs. Emily Newell Blair, first vice-chairman of the Democratic National Committee.

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